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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT SEATTLE**

9 UNITED STATES OF AMERICA,

NO. CR06-351-JCC

10 Plaintiff,

11 v.

SUMMARY REPORT OF
U.S. MAGISTRATE JUDGE AS
TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

12 SCOTT WILLIAM MCCOMB,

13 Defendant.

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15 An initial hearing on a petition for violation of supervised release was held before the
16 undersigned Magistrate Judge on October 4, 2011. The United States was represented by
17 Assistant United States Attorney Norman Barbosa, and the defendant by Lee Edmund.

18 The defendant had been charged and convicted of Aggravated Identity Theft, in
19 violation of 18 U.S.C. § 1028A and Social Security Fraud, in violation of 42 U.S.C. §
20 408(a)(7)(B). On or about April 6, 2007, defendant was sentenced by the Honorable John C.
21 Coughenour, to a term of 65 months in custody, 24 months as to count one to run consecutive
22 to 41 months as to count two, to be followed by 3 years of supervised release.

23 The conditions of supervised release included the requirements that the defendant
24 comply with all local, state, and federal laws, and with the standard conditions. Special
25 conditions imposed included, but were not limited to, participation in substance abuse and
26 mental health programs, financial disclosure, \$142,321.82 restitution, attend Gambler's

1 Anonymous, if directed by USPO, not enter gambling establishments, computer monitoring,
2 computer access, search, and identification in true name only.

3 In a Petition for Warrant or Summons, dated August 31, 2011, U.S. Probation Officer
4 Frances L. Davis asserted the following violations by defendant of the conditions of his
5 supervised release:

- 6 1. Failing to notify the probation officer within ten days prior to a change of
7 residence, in violation of standard condition No. 6.
- 8 2. Failing to notify the probation officer within ten days prior to a change of
9 employment, in violation of standard condition No. 6.
- 10 3. Failing to participate as directed in a drug testing program on August 25, and
11 26, and 27, 2011 in violation of the special condition requiring that he
12 participate as instructed in a program approved by the probation officer for
13 treatment of narcotic addiction, which may include drug testing to determine if
14 he has reverted to the use of drugs..

15 The defendant was advised of his rights and admitted alleged violations 1, 2 and 3.

16 I therefore recommend that the Court find the defendant to have violated the terms and
17 conditions of his supervised release as to violation 1, 2 and 3, and that the Court conduct a
18 hearing limited to disposition. A disposition hearing on these violations has been set before the
19 Honorable John C. Coughenour on October 14, 2011 at 9:00 a.m.

20 Pending a final determination by the Court, the defendant has been detained.

21 DATED this 4th day of October, 2011.

22 
23 JAMES P. DONOHUE
24 United States Magistrate Judge
25
26

cc: District Judge: Honorable John C. Coughenour
AUSA: Norman Barbosa
Defendant's attorney: Lee Edmund
Probation officer: Frances L. Davis